

3736
IFW**TRANSMITTAL
FORM**

APPEAL
MAR 16 2006
PATENT & TRADEMARK OFFICE


Application Number	09/925,193
Filing Date	August 9, 2001
First Named Inventor	WINDER et al.
Art Unit	3736
Examiner Name	
Attorney Docket Number	41482/253466
Total Number of Pages in This Submission	

(to be used for all correspondence after filing)

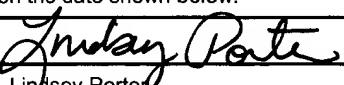
ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08/a (three sheets) 3 Publications
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Kilpatrick Stockton, LLP		
Signature			
Printed Name	Bruce D. Gray		
Date	March 14, 2006	Reg. No.	35,799

CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Lindsey Porter	Date	03-14-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: WINDER et al.

SERIAL NO.: 09/925,193 Group Art Unit: 3736

FILED: August 9, 2001 Examiner:

FOR: METHOD AND MEANS FOR CONTROLLING
ACOUSTIC MODES IN TISSUE HEALING
APPLICATIONS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Date: March 14, 2006

Attorney Docket No.: 41482/253466

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08a are cited for consideration by the Examiner.

Submission of the reference provided in this Supplemental Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Supplemental Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b)(3), before issuance of an Action on the merits. Applicants believe that no fee is due for consideration of this paper. However, if a fee is due the

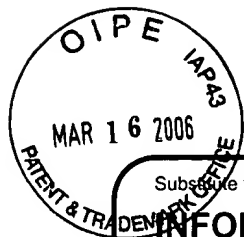
Commissioner is authorized to charge any such fee that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Bruce D. Gray', is written over a horizontal line.

Bruce D. Gray
Reg. No. 35,799

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	09/925,193
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Examiner Name	
Attorney Docket Number	41482/253466

U.S. PATENT DOCUMENTS

Examine r Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-1,063,782	06-03-1913	G.O. & C.A. Dickey	
		US-2,914,829	12-01-1959	L.F. Willemain	
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		US-2003/0153849	08-14-2003	Huckle	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT***(Use as many sheets as necessary)*

Sheet 2 of 3

Complete if Known

Application Number	09/925,193
Filing Date	August 9, 2001
First Named Inventor	WINDER et al
Art Unit	3736
Examiner Name	David J. Isabella
Attorney Docket Number	41482/253466

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number Number- Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-2004/0127790 A1	07-01-2004	Lang et al.	
		US-2005/0096548 A1	05-05-2005	Talish	
		D380440	07-01-1997	Talish et al.	

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Substitute for form 1449B/PTO <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(Use as many sheets as necessary)</p>		Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/925,193</td> </tr> <tr> <td>Filing Date</td> <td>August 9, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>WINDER et al</td> </tr> <tr> <td>Art Unit</td> <td>3736</td> </tr> <tr> <td>Examiner Name</td> <td>David J. Isabella</td> </tr> <tr> <td>Attorney Docket Number</td> <td>41482/253466</td> </tr> </table>		Application Number	09/925,193	Filing Date	August 9, 2001	First Named Inventor	WINDER et al	Art Unit	3736	Examiner Name	David J. Isabella	Attorney Docket Number	41482/253466
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Attorney Docket Number	41482/253466														
Sheet	3	of	3												

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Photographs of Vibrations Platform Built by Julio Tous, Univiersitat Ramon Llull, Barcelona, Spain (7 pages, 2002)	
		Photographs of Exercise Ergometer Developed by Biodex Medical Systems, Shirley, New York (3 pages, 2002)	
		"Generation of Electric Potentials by Bone in Response to Mechanical Stress," <i>Science Magazine</i> , 137, 1063-1064 (09/28/02)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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